

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE ESTATE OF STEVEN MENDELOW;
NANCY MENDELOW, in her capacity as
Executrix of the Estate of Steven Mendelow;
NANCY MENDELOW; CARA MENDELOW;
PAMELA CHRISTIAN; C&P ASSOCIATES,
LTD.; and C&P ASSOCIATES, INC.,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-04283 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY
DISMISSAL WITH PREJUDICE AS TO
ALL DEFENDANTS IN ADVERSARY PROCEEDING NO. 10-04283**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP and The Estate of Steven Mendelow, The Estate of

Nancy Mendelow, Cara Mendelow, in her individual capacity, and as executrix of the Estate of Steven Mendelow and executrix of the Estate of the Nancy Mendelow, Pamela Christian, in her individual capacity, and as executrix of the Estate of Steven Mendelow and executrix of the Estate of Nancy Mendelow, C&P Associates Ltd, and C&P Associates, Inc. (collectively, “Transferees”), by and through their respective counsel (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 23, 2010, the Trustee filed an Amended Complaint in the above-captioned adversary proceeding in which he asserted claims against, among others, Steven Mendelow (the “Claims”).

2. On January 4, 2018, the parties entered into an agreement to settle the Claims.

3. On January 30, 2018, this Court entered an Order approving the settlement agreement between the Trustee, on the one hand, and the Transferees on the other hand (the “Settlement”) (ECF No. 126). The Settlement provides for the release of the Claims as against the Transferees and any known or unknown claims as against the Trustee.

4. In accordance with Rule 7041 of the Federal Rules of Bankruptcy Procedure and Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the Parties hereby stipulate to the dismissal with prejudice of the Claims and the Adversary Proceeding, with each party bearing its own costs, attorneys’ fees, and expenses.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and

the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: February 7, 2018
New York, New York

CLAYMAN & ROSENBERG LLP

BY: /s/ Seth Rosenberg
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Attorneys for Defendants The Estate of Steven Mendelow, The Estate of Nancy Mendelow, Cara Mendelow, in her individual capacity, and as executrix of the Estate of Steven Mendelow and executrix of the Estate of the Nancy Mendelow, Pamela Christian, in her individual capacity, and as executrix of the Estate of Steven Mendelow and executrix of the Estate of Nancy Mendelow, C&P Associates Ltd, and C&P Associates, Inc.

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Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff

SO ORDERED

Dated: **February 7, 2018**
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE